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11 Attorneys for Plaintiff
12 SUCCESSFACTORS, INC.

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 OAKLAND DIVISION

17 SUCCESSFACTORS, INC., a Delaware
18 corporation,

19 Plaintiff,

20 v.

21 SOFTSCAPE, INC., a Delaware
corporation; and DOES 1-10, inclusive,

22 Defendants.

Case No. CV 08 1376 CW (BZ)

**STIPULATION AND ORDER
SELECTING ADR PROCESS**

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Counsel report that they have met and conferred regarding ADR and have reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5. The parties agree to participate in private mediation to be conducted in the San Francisco Bay Area. The parties are currently engaged in initial discovery, including document productions, written discovery responses and depositions, and would like to complete this discovery before engaging in private mediation. They agree to complete mediation no later than November 28, 2008.

Dated: May 27, 2008

FENWICK & WEST LLP

By: /s/ Patrick E. Premo
Patrick E. Premo

Attorneys for Plaintiff
SUCCESSFACTORS, INC.

Dated: May 27, 2008

MINTZ LEVIN COHN FERRIS GLOVSKY AND
POPEO, PC

By: /s/ Jeffrey Ratinoff
Jeffrey Ratinoff

Attorneys for Defendant
SOFTSCAPE, INC.

ATTESTATION PURSUANT TO GENERAL ORDER 45

I, Patrick E. Premo, attest that concurrence in the filing of this document has been obtained from any signatories indicated by a "conformed" signature (/s/) within this e-filed document.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 27th day of May, 2008, at Mountain View, California.

Dated: May 27, 2008

FENWICK & WEST LLP

By: /s/ Patrick E. Premo
Patrick E. Premo

Attorneys for Plaintiff
SUCCESSFACTORS, INC.

ORDER

Pursuant to the above Stipulation, the captioned matter is hereby referred to private mediation. The deadline for completion of the mediation is: November 28, 2008.

IT IS SO ORDERED.



Dated: June 12, 2008

The Honorable Claudia Wilken
United States District Court Judge

FENWICK & WEST LLP
ATTORNEYS AT LAW
MOUNTAIN VIEW

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